

Case 1:05-cv-00558-AWI-LJO Document 3 Filed 04/28/2005 Page 1 of 2

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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$6,492.85 IN U.S.
CURRENCY SEIZED FROM MERCO
CREDIT UNION BANK, CHECKING
ACCOUNT NUMBER: 11014040

Defendant.

CIV F 05-00558 AWI LJO

APPLICATION AND ORDER
FOR PUBLICATION

The United States of America, plaintiff herein, applies for an order of publication as follows:

1. Rule C(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims provides that the plaintiff shall cause public notice of the action and arrest to be given in a newspaper of general circulation in the district, designated by order of the Court;
2. Local Rule 83-171, Eastern District of California, provides that the Court shall designate by order the appropriate newspaper for publication;
3. The defendant property was seized in Merced County, Merced, California;
4. Plaintiff proposes that publication be made as follows:
 - a. One publication;
 - b. In the following newspaper, a legal newspaper of general circulation, located in the county in which the defendant property was seized: Merced Sun Star;

- 1 c. The publication to include the following:
- 2 (1) The Court, title and number of the action;
- 3 (2) The date of the arrest/seizure;
- 4 (3) The identity and/or description of the property arrested/seized;
- 5 (4) The name, address and telephone number of the attorney for the
- 6 plaintiff;
- 7 (5) A statement that claims of persons entitled to possession or claiming
- 8 an interest pursuant to Supplemental Rule C(6) of the Federal Rules of Admiralty must be filed with
- 9 the Clerk and served on the attorney for the plaintiff within 30 days after the date of publication;
- 10 (6) A statement that answers to the complaint must be filed and served
- 11 within 20 days after the filing of the claim and, in the absence thereof, default may be entered and
- 12 condemnation ordered;
- 13 (7) A statement that applications for intervention under Fed. R. Civ. P. 24 by
- 14 persons claiming maritime liens or other interests shall be filed within the 30 days allowed for claims
- 15 for possession; and
- 16 (8) The name, address, and telephone number of the U.S. Marshal and/or
- 17 Department of Treasury.

19 DATED: 4/22/05

McGREGOR W. SCOTT
United States Attorney

/s/ Kristi C. Kapetan
KRISTI C. KAPETAN
Assistant U.S. Attorney

23 **ORDER**

25 IT IS SO ORDERED.

26 Dated: April 27, 2005
66h44d

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE